



Sanford City Council

City Council Meeting Minutes – April 16, 2019

The Sanford City Council met at 6:00 p.m. in the Chambers of the Sanford City Hall Annex on Tuesday, April 16, 2019. **Deputy Mayor:** Lucas Lanigan **COUNCILORS:** Councilor Maura A. Herlihy, Councilor Robert G. Stackpole and Councilor Ayn Hanselmann, Councilor John L. Tuttle, Jr.; Councilor Joseph R. Hanslip **CITY STAFF:** City Manager, Steven Buck; Executive Assistant, Lorisa Ricketts; Director of Community Development, Ian Houseal; City Clerk, Sue Cote; Assistant Clerk?, Michelle Vermette; Code Enforcement Officer, Jamie Cole; Code Enforcement Officer, Aaron Lederer; City Treasurer, Paula Simpson.

Deputy Mayor Lanigan called to order a joint meeting of the Budget Committee and the City Council at 6:00 pm. to discuss the acquisition of 922 Main Street in Sanford and financing the project through a municipal bond per the following question: Shall the City Council:

1. approve a capital project including the acquisition of 922 Main Street, including transaction costs and other expenses reasonably related thereto;
2. appropriate the sum of up to \$150,000 to fund the project

Director Houseal presented to the City Council and reminded them that at the March 19 executive session, the City Council voted to approve up to \$150,000 for the purchase of 922 Main Street. Purchase would increase the area of Central Park by about 22%.

Councilor Tuttle asked the status of the property next door. Director Houseal responded that an individual purchased it at the auction. They said they own Scoops, an ice cream store on Ocean Avenue in Portland. Intention to put in an ice cream store with two units of housing above.

Jonathan Mapes asked why not use the reserve fund, why TIF? City Manager Buck explained that the proceeds would be coming from the downtown sinking fund, specifically set up for improvements in the downtown. What about after the demo? Public Works & Parks can do the seeding of the property, which will be added to the park. Mr. Mapes clarified that the budget committee will need to recommend to approve the purchase tonight. Mr. Bruce Knight asked if there are plans for expansion of the park in the future. Director Houseal said the City Council had authorized up to \$150,000 to attempt to acquire both properties, but a new buyer has purchased the adjacent property and the individual is putting real money into improvement of the property.

Councilor Herlihy, a Budget Committee member, recommended that the Budget Committee approve the capital project including purchase of 922 Main Street. Councilor Stackpole, also a Budget Committee member, seconded. The motion passed the Budget Committee 5-0.

Pledge of Allegiance

The regular City Council session began with the Pledge of Allegiance and a moment of silence.

Moment of Silence

Roll Call:

Deputy Mayor Lanigan performed the Council roll call: Councilor Hanselmann, present; Councilor Stackpole, present; Councilor Tuttle, present; Councilor Hanslip, present; Councilor Herlihy, present.

Absent with notice: Mayor Thomas P. Cote.

Minutes

- 19-266-01 Ordered, to approve the City Council minutes from April 2, 2019. Councilor Hanslip motioned to approve; Councilor Tuttle seconded. Motion passed 6-0.

- 19-267-01 Ordered, to approve the minutes from the Special Council Meeting on April 9, 2019. Councilor Hanslip motioned to approve; Councilor Tuttle seconded. Motion passed 6-0.

- 19-272-01 Ordered, to approve the minutes from the Executive Session of the City Council on April 9, 2019. Councilor Tuttle motioned to approve; Councilor Hanslip seconded. Motion passed 6-0.

Mayor's Report/City Council Sub-Committee Reports

None.

City Manager's Report

City Manager Buck presented information from a set of infographics on the economic impact of the Portsmouth Naval Shipyard. (See attached.)

Councilor Lanigan asked if the issue of mass transit and the transportation needs for the shipyard are being addressed. City Manager Buck explained that the city is engaged in a joint land use study with Southern Maine Regional Planning

Commission Commission, looking at joint transportation initiatives. The group is hoping for federal funding to support the initiatives that the group identifies.

Communications/Presentations

19-265-01 Aceto Landscaping Presentation on the Downtown Connector

Lee Burnett from Sanford Trails Committee introduced Julie Isbill from the Sanford Trails Committee, who put out call for pro-bono assistance, which was answered by Aceto Landscape Architects.

Seth Kimball from Aceto Landscape Architects presented on a proposed Sanford Downtown Connector.

Councilor Herlihy said she is very impressed with the presentation. Councilor Tuttle said it put him in mind of Baxter Blvd in Portland and commended Mr. Kimball on a well done job. City Manager Buck stated Mr. Kimball did an incredible job addressing the issues, except he didn't address the 7-8% grade near Third Alarm Diner. Councilor Tuttle asked if they had communicated with the Fire Department regarding safety. Deputy Mayor Lanigan said it was a beautiful presentation and asked what the next steps are. Mr. Burnett said some of these items are relatively low cost with just paint. The committee envisions doing things in pieces and will apply for grants and work with leveraged funding, CIP plan. In June, there will be a Sanford Bike Fest to introduce people to the idea of this central corridor. Cost estimates will be developed.

Mr. Kimball mentioned that the architects worked with true dimensions to work within reality as well as to provide a long-term vision.

19-271-01 Presentation by Robin Bibber, Director of the Trafton Center.

Andy Orazio, CEO of Sanford-Springvale YMCA introduced Robin Bibber, the new Director of the Trafton Center. Andy thanked former director Thea Murphy for all of her work.

Robin Bibber thanked the City and the community for its support over the past 50 years. On Saturday, May 4th, they will be celebrating the Trafton Center's 50th anniversary along with the Stepping Out for Seniors walk.

Flyer for the events is available on the Trafton Center's facebook page.

Walk begins at 9:00; registration begins at 8:00. Will have a map available for those who want to shorten the route.

Councilor Tuttle asked Ms. Bibber what her background is. She has a background working with older people in other communities. Southern Maine Agency on Aging, social work, and York County Community Action.

Deputy Mayor Lanigan thanked the YMCA for all its work in the community.

Public Participation

Robert LaChance spoke about an idea to paint crosswalks on roads where they cross the Mousam Trail as a safety issue. He mentioned seeing two ladies standing by the road where the trail crossed the street and traffic wasn't stopping. He stated there are three places where the trail crosses the street. Pleasant Street already has a crosswalk. Main Street where it changes from residential to commercial area – he suggested making it a 25 mile per hour zone with appropriate signage for the crosswalk. On Oak Street, vehicles coming down the hill too fast are the main issue.

Councilor Hanslip thanked Mr. LaChance and suggested this go to Public Safety subcommittee.

Mr. LaChance also spoke regarding Pay as you throw bags and how he feels the system is unfair to the stores, who have overhead costs. Deputy Mayor Lanigan suggested they could take this to the solid waste subcommittee and Mr. LaChance could be invited.

Public Hearings

The City Council will take public comment on the following:

- 19-243-01 A Public Hearing to receive comments on the Renewal Liquor License application for Malt, Spirituous, and Vinous privileges from Smitty's Cinema, Sanford, LLC, 1327 Main Street, Sanford, Maine. Deputy Mayor Lanigan opened the public hearing at 7:02. No public comment. Public hearing closed at 7:02 PM.
- 19-245-01 The second of two Public Hearings to receive comments on the Renewal of the Mental Health and Abuse Clinic license from Maine Behavioral Healthcare, 474 Main Street, Sanford, Maine. Deputy Mayor Lanigan opened the public hearing at 7:02. No public comment. Public Hearing closed at 7:02 PM.
- 19-246-01 The second of two Public Hearings to receive comments on the Renewal of the Mental Health and Abuse Clinic, ENSO, LLC D/B/A: Medicated Assisted Recovery, 69 Eagle Drive, Sanford, Maine. Deputy Mayor Lanigan opened the public hearing at 7:03. No public comment. Public Hearing closed at 7:03 PM.

19-247-01 A Public Hearing to receive comments on the new License application from Heavens Leaf Garden to operate as a Medical Marijuana Grower at 72 Emery Street, Unit 401, Sanford, Maine. Deputy Mayor Lanigan opened the public hearing at 7:03 PM. Code Enforcement Officer Jamie Cole stated the business did make some modifications and added a secondary barrier. He recommended approval. Councilor Tuttle asked how many growers are currently operating at 72 Emery Street. Code Enforcement Officer Cole said this makes 11 currently operating; there are 18 units currently set up. Public hearing closed at 7:06 PM.

19-238-01 A joint Public Hearing of the Budget Committee and the City Council to receive public comment on the acquisition of 922 Main Street in Sanford and financing the project through a municipal bond per the following question:

Shall the City Council:

1. approve a capital project including the acquisition of 922 Main Street, including transaction costs and other expenses reasonably related thereto;
2. appropriate the sum of up to \$150,000 to fund the project;
3. authorize the Mayor and the Treasurer to issue general obligation securities of the City (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$150,000 to fund the appropriation; and
4. delegate to the Mayor and Treasurer the authority and discretion to fix the dates, maturities, interest rates, denominations, calls for redemption (with or without premium), form, loan agreement and other details of said securities, including authority to execute and deliver the securities, certifications, and agreements relating to the purchase and the financing on behalf of the City?

Deputy Mayor Lanigan opened the public hearing at 7:06 PM. No public comment. Public hearing closed at 7:07 PM.

19-226-01 A public hearing to seek and receive comment on a proposed ordinance prohibiting persons convicted of Class A, B, or C sex offenses committed against persons who had not attained 14 years of age, at the time of the offense, from residing within 750 feet of any public or private school, municipally or state-owned park, athletic field, recreational facility or property. Deputy Mayor Lanigan opened the public hearing at 7:07 PM.

Director Houseal introduced the ordinance. Violations and penalties sections associated with the ordinance are already included in City Code.

Councilor Tuttle stated that the ordinance was reviewed by the Public Safety subcommittee and unanimously endorsed. Deputy Mayor Lanigan asked what the proper procedure would be for a citizen who believes there is a registered sex offender living within one of the buffer zone. Director Houseal stated that if there is already an offender living in the designated area, they must be allowed to live there. The ordinance would affect future tenants. Chief Connolly said the person who will be enforcing it will be the person renting to the tenant, rather than the police department. They would go to the building owner and inform them they need to act. If they don't, they could be cited. Councilor Herlihy clarified this is specifically for sex offenders with convictions of crimes against a child under the age of 14. City Manager Buck pointed out that he believes an offender could own a property in that zone, they just couldn't reside there. The authority is under Maine statute under Title 30A, § 3014. Frank Watson asked how you find out who is whom. Chief Connolly stated that the State of Maine website has a list of every convicted sex offender and what they were convicted for. Public hearing closed at 7:20 PM.

- 19-214-01 A public hearing to seek and receive comment on an ordinance amending City Code regarding the administrative provisions of Chapter 280 including sections pertaining to definitions, fees, public hearings, amendments, zoning board of appeals, nonconformance, variances and appeals, contract zoning, the single family residential zone, conditional use, and site plan review. Deputy Mayor Lanigan opened the public hearing at 7:21 PM.

Assistant Planner Joe Scala presented information on the history and purpose of the amendments. No public comment. Public hearing closed at 7:23 PM.

- 19-259-01 A public hearing on an ordinance amending City Code Chapter 215, Article II, prohibiting vape shops and paraphernalia stores and displays within 500 feet of school property and requiring age verification when selling CBD at licensed retail locations and making no changes to tobacco retailing. Deputy Mayor Lanigan opened the public hearing at 7:24 PM.

Director Houseal introduced the ordinance. Councilor Stackpole stated this is all about the safety of kids in our community. If devices are available, it should be at a reasonable distance from schools and parks. Councilor Herlihy asked how the issue of schools moving into commercial areas would be addressed. Director Houseal stated the ordinance currently covers public and private schools; the ordinance could be

amended to make it just public schools. Councilor Herlihy said the issue of private schools should be considered; perhaps by considering size. Deputy Mayor Lanigan said the point is to prevent the building of these specialty shops that will cater to youth with THC or CBD products. Councilor Herlihy pointed out that paraphernalia displays are prohibited; the intent was to prohibit paraphernalia stores. Zoning Subcommittee can look at this next week. Public hearing closed at 7:34 PM.

19-260-01 A hearing to determine whether the structure at 11 Madison Street, Sanford Maine owned by Francis C. Watson identified as Lot 19, on Tax Map G30, and further described in a Deed recorded in the York County Registry of Deeds at Book 16254, Page 625, is a dangerous building or nuisance within the meaning of 17 M.R.S.A. § 2851-2859, and if so, what is the appropriate remedy. Notice of this hearing was duly served on the owner, parties in interest by certified mail and advertised in the newspaper on March 29th, April 5th, and April 12th of 2019 as required by Law when an owner or party in interest is unknown or is not ascertainable with reasonable diligence. Deputy Mayor Lanigan opened the public hearing at 7:42 PM.

Director Houseal presented documents related to the property and its condition. Councilor Tuttle asked if anyone is living in the building. Director Houseal shared emails showing that Code Enforcement Officer Lederer obtained access to the property via a tenant, Shannon Dunning, who complained of conditions on the property. Code Enforcement Officer Lederer spoke about the condition of the property found on inspection. He posted the building twice against occupancy. Deputy Mayor Lanigan invited the owner, Francis Watson to speak. Director Houseal gave Notice to Claim Covered Property and Notice of Hearing on 43 Jagger Mill Rd. to Mr. Watson, of 60 Governor's Road, Milton, NH, who stated that he was presenting an email between himself and his tenant during his transition from his house to 11 Madison Street. Deputy Mayor Lanigan stated that under the rental license program, the property should not have been rented in the condition it was in. Councilor Herlihy stated that the building should not have been rented without a working furnace. Mr. Watson asked who let Code Officer Lederer in. Code Officer Lederer stated that the tenant called Jeannie Wood and made an appointment for an inspection, which Code Officer Lederer performed. Mr. Watson spoke for some time about the situation with his tenant. Councilor Tuttle said he thinks we have heard enough; Councilor Herlihy agreed. Councilor Hanslip suggested that very little that Mr. Watson presented was germane to the current situation and invited him, if he had anything to present to show that the building is

no longer a dangerous building, to do so. Public Hearing closed at 8:15 PM.

19-263-01 A reopening of the City Council hearing held on February 19, 2019, at which the City Council made Findings and issued an Order recorded in the York County Registry of Deeds at Book 17903, Page 667, which deemed the structure located at 28 Thompson Street, Sanford, Maine owned by Christopher E. Farris and identified as Lot 123, on Tax Map I28 and further described in a Deed recorded in the York County Registry of Deeds at Book 17641, Page 667, to be a dangerous building and nuisance within the meaning of 17 M.R.S.A. § 2851-2859. This hearing is being reopened to afford to Christopher E. Farris, an opportunity to present to the City Council information relevant to its determination of whether the structure located at 28 Thompson Street, Sanford, Maine is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what if any remedy is appropriate. The Findings and Order issued by the City Council on February 19, 2019 remains in full force and effect until the City Council's issuance of findings and an order following hearing on April 16, 2019. Notice of this hearing was duly served in person on Christopher E. Farris by the Rockingham County, New Hampshire Sheriff and by certified mail, regular mail, and by email indicating actual notice of the hearing as of March 16, 2019, and advertised in the newspaper on March 29th, April 5th, and April 12th of 2019 as required by Law when an owner or party in interest is unknown or is not ascertainable with reasonable diligence. Deputy Mayor Lanigan opened the public hearing at 8:23 PM.

Director Houseal explained why the hearing was being reopened and presented documents related to the history of the building and its condition. There is not currently a building permit for the premises. Between last Wednesday and last Thursday an electrical line has been installed on the property. Deputy Mayor Lanigan asked whether the fact that the work that is currently being done, is being done illegally, bears on the Council's determination. Director Houseal said he has added the information that there are no building permits; that can be part of the determination of dangerousness. Code officer Lederer stated that when he visited the property this week, there were many children's footprints on the property, which is very concerning. There is no building permit on this property. Public Hearing closed at 8:42 PM.

Consent Agenda

- 19-244-01 Ordered, to approve the following license requests:
1. An application for liquor license renewal from Smitty's Cinema-Sanford, LLC, 1327 Main Street, Sanford, Maine.
 2. A renewal for a Mental Health & Abuse Clinic License from Enso, LLC, D/B/A Medicated Assisted Recovery, 69 Eagle Drive, Sanford, Maine.
 3. A renewal for a Mental Health & Abuse Clinic License from Maine Behavioral Healthcare, 474 Main Street, Springvale, Maine.

Deputy Mayor Lanigan sought questions or comments from the Council on the Consent Agenda. Seeing none, the motion was approved.

Old Business

- 18-237-01 Ordered, to discontinue, pursuant to the provisions of 23 M.R.S.A. § 3026-A, a portion of the public way known as Hoyt Street, shown in the Order of Discontinuance as amended. This item must be read on two occasions. This is the second reading. Councilor Herlihy moved to approve. Councilor Stackpole seconded. Motion passed 6-0.

New Business

- 19-248-01 Ordered, to approve the new license application from Heavens Leaf Garden to operate as a Medical Marijuana Grower at 72 Emery Street, Unit 401, Sanford, Maine. Councilor Herlihy moved to approve. Councilor Stackpole seconded. Motion passed 6-0.
- 19-250-01 Ordered, to sign Municipal Warrant to call for a June 11, 2019 School Budget Validation Referendum. Councilor Herlihy moved to approve. Councilor Stackpole seconded. Motion passed 6-0.
- 19-239-01 Ordered, shall the City Council:
1. approve a capital project including the acquisition of 922 Main Street, including transaction costs and other expenses reasonably related thereto;
 2. appropriate the sum of up to \$150,000 to fund the project;
 3. authorize the Mayor and the Treasurer to issue general obligation securities of the City (including temporary notes in anticipation of the

sale thereof) in an aggregate principal amount not to exceed \$150,000 to fund the appropriation; and

4. delegate to the Mayor and Treasurer the authority and discretion to fix the dates, maturities, interest rates, denominations, calls for redemption (with or without premium), form, loan agreement and other details of said securities, including authority to execute and deliver the securities, certifications and agreements relating to the purchase and the financing on behalf of the City?

Councilor Tuttle moved; Councilor Herlihy seconded. Motion passed 6-0.

- 19-241-01 Ordered, to authorize the expenditure of \$150,000 plus interest from the Tax Increment Financing (TIF) Downtown Sinking Fund Account to pay for debt service from the purchase of 922 Main Street in Sanford identified as Tax Map K30 Lot 49 – the term will be for 10 years. Councilor Tuttle moved; Councilor Herlihy seconded. Motion passed 6-0.
- 19-240-01 Ordered, to authorize an abatement of outstanding 2018 and for the upcoming 2019 real estate taxes for property identified as Tax Map K30 Lot 49 located at 922 Main Street in Sanford due to the City purchasing this property. Councilor Tuttle moved; Councilor Herlihy seconded. City Treasurer and Tax Collector Paula Simpson said they need to amend the order to include \$225.50 in personal property taxes. Councilor Tuttle moved to amend the motion to include \$225 in personal property taxes, for a total of \$1,594.90. Councilor Herlihy seconded. Motion passed 6-0.
- 18-165-01 Ordained, an ordinance prohibiting persons convicted of Class A, B, or C sex offenses committed against persons who had not attained 14 years of age, at the time of the offense, from residing within 750 feet of any public or private school, municipally or state-owned park, athletic field, recreational facility or property. (This item must be read on two separate occasions. This is a first reading.)
- 19-258-01 Ordained, amendments to City Code regarding the administrative provisions of Chapter 280 including sections pertaining to definitions, fees, public hearings, amendments, zoning board of appeals, nonconformance, variances and appeals, contract zoning, the single family residential zone, conditional use, and site plan review. (This item must be read on two separate occasions. This is a first reading.)
- 19-138-01 Ordained, amendments to City Code Chapter 215, Article II, prohibiting vape shops and paraphernalia stores and displays within 500 feet of

school property and requiring age verification when selling CBD at licensed retail locations and making no changes to tobacco retailing. (This item must be read on two separate occasions. This is a first reading.)

19-261-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building -11 Madison Street, Sanford Maine, Tax Map G30, Lot 19. Councilor Herlihy moved to state the Council's findings and order on the property (see attached). Councilor Hanslip seconded. Motion passed 6-0.

19-262-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building -28 Thompson Street, Sanford Maine, Tax Map I28, Lot 123. Councilor Herlihy moved to state the Council's findings and order on the property (see attached). Councilor Hanslip seconded. Motion passed 6-0.

Council Member Comments

Councilor Hanselmann: Sanford Trails has a great Facebook page, so anyone interested in the June 1 Bike Fest should visit the Facebook page.

Councilor Stackpole: none.

Councilor Tuttle: none.

Councilor Hanslip: none.

Councilor Herlihy: Thanked Councilor Hanselmann for the information.

Deputy Mayor Lanigan: none.

Future Agenda Items

Deputy Mayor Lanigan: For Solid Waste Committee: possibility of privatizing the transfer station as an option for reducing costs.

Councilor Hanselman: How to team the assessing and code enforcement departments on final inspections. Code Enforcement Officer Cole stated that this already happens.

Adjournment

Deputy Mayor Lanigan moved to adjourn regular meeting at 8:52 PM.

Respectfully submitted by Lorisa Ricketts, Executive Assistant

City of Sanford



**From the Desk of
Steven R. Buck
City Manager**



Memo

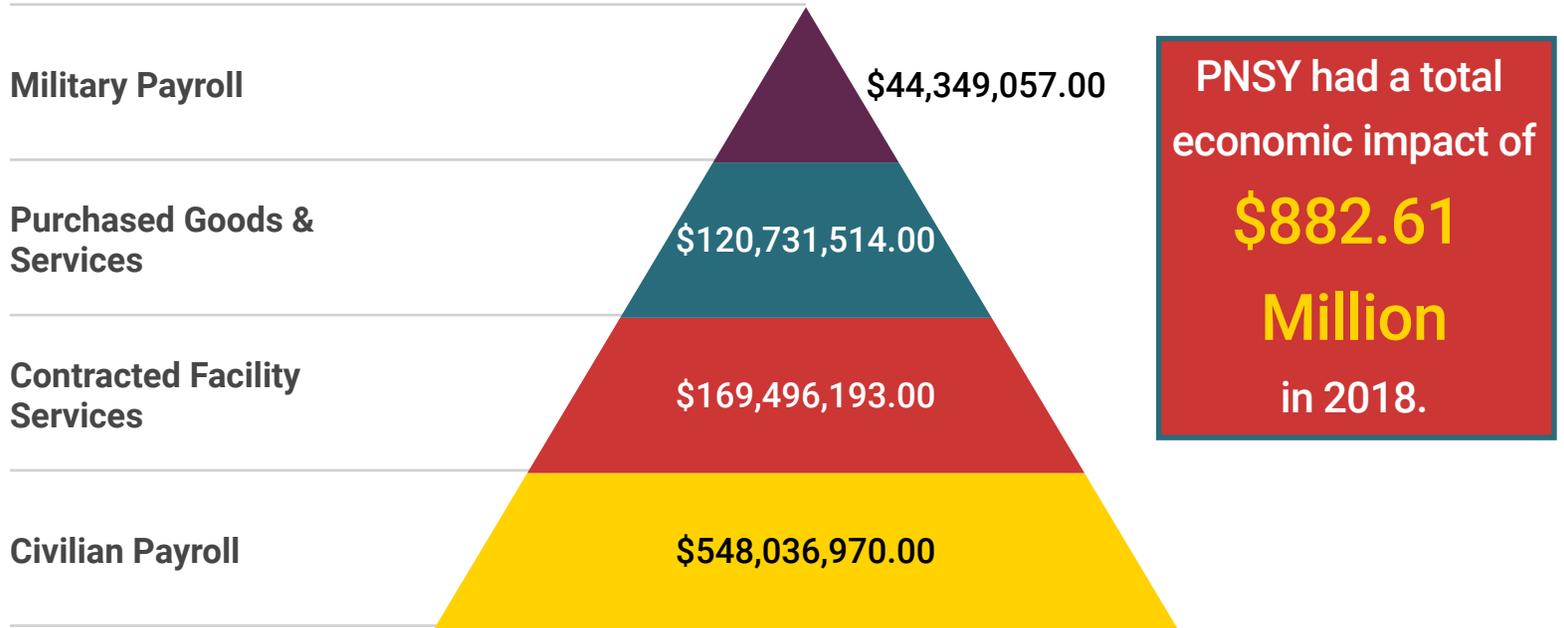
To: City Council
Subject: Manager's Report for April 16th, 2019
Date: April 16, 2019

The Infographics have been released from the Portsmouth Naval shipyard for the 2018 calendar year. The numbers were released on April 11th, 2019 and I wanted to pass the information forward to the City Council to emphasize the importance of the Shipyard to our Regional Economy and to the contribution of over \$35.4 Million in payroll returning to Sanford just last year.

Sanford Residents have the highest annual payroll of the Shipyard's civilian payroll with 502 Residents working at the Shipyard with a payroll of just over \$35.4 million. Maine payroll is \$314.6 million.

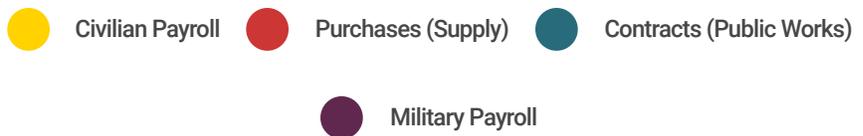
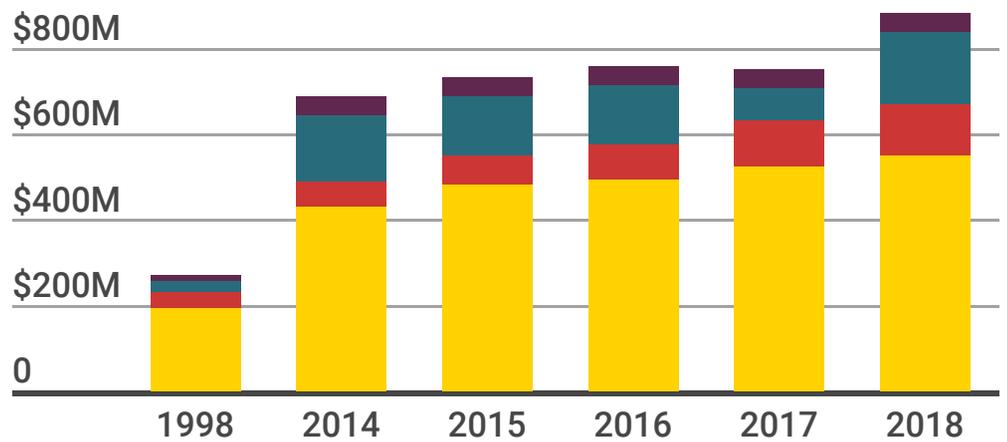
Attached are the infographics for the Portsmouth Naval Shipyard's overall Economic Impact, the Maine Economic Impacts, and finally for Sanford.

Portsmouth Naval Shipyard Economic Impact 2018



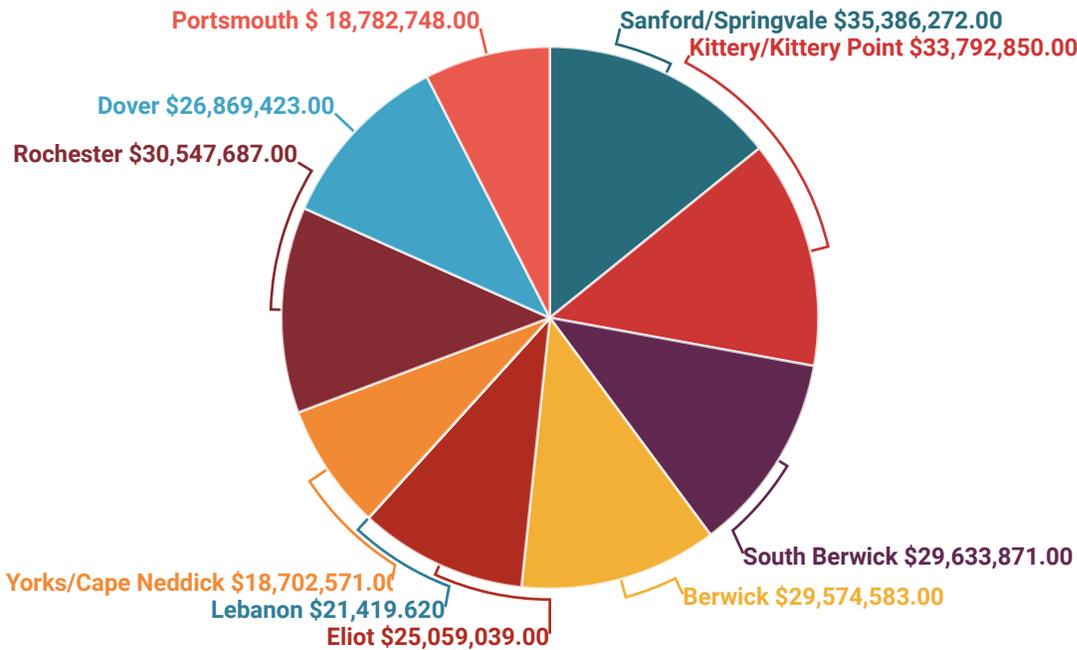
PNSY significantly impacts communities in ME, NH and MA through civilian and military payrolls, contracted facility services, and purchased goods and services.

PNSY's total economic impact has grown by **41.6%** since 2013.



PNSY employed 6,972 civilians in 2018 and 51% of them came from the ten neighboring communities with the most PNSY workers.

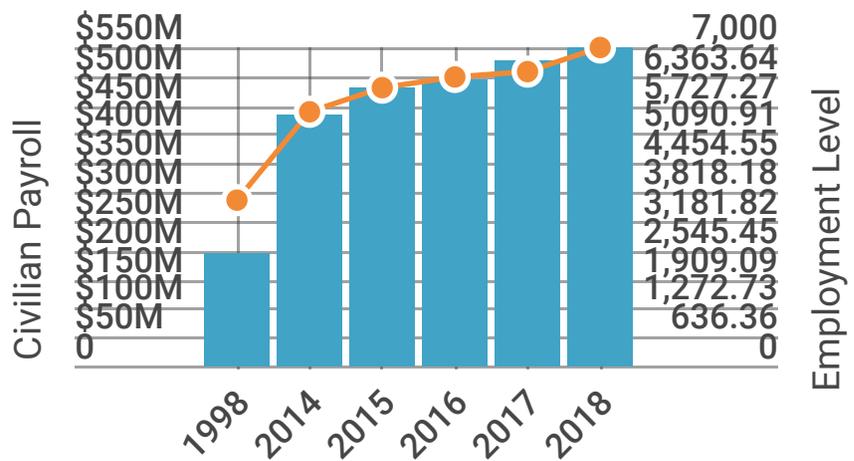
Payroll - Top 10 Communities



PNSY's civilian payroll was **\$548 Million** in 2018.

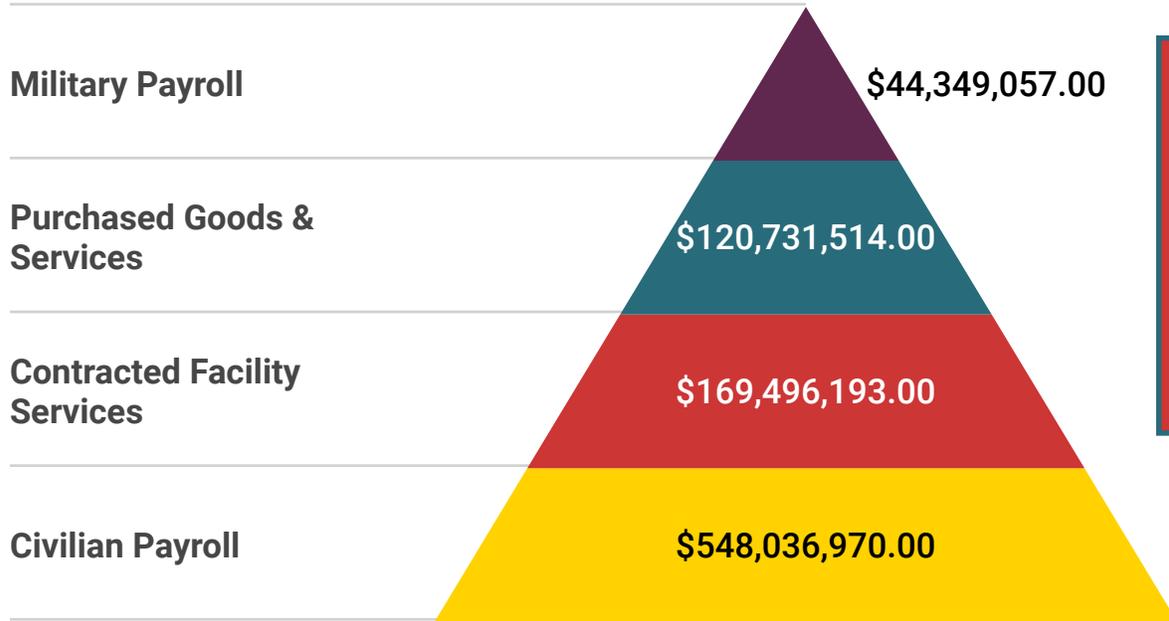
PNSY's civilian employment numbers have been steadily increasing year on year and its annual payroll figures reflect that increase.

PNSY employed **6,972** civilians in 2018.



● Civilian Payroll ● Employment Level

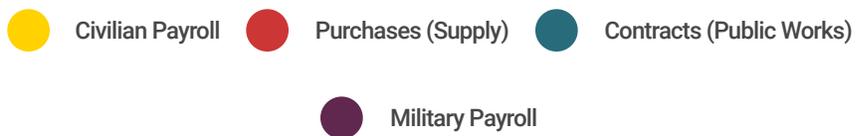
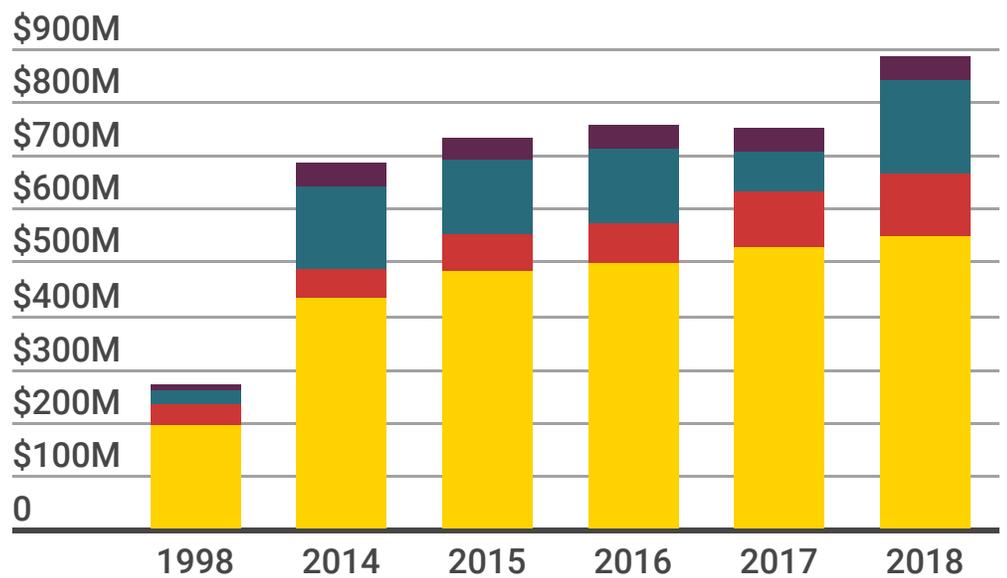
Portsmouth Naval Shipyard Economic Impact 2018



PNSY had a total economic impact of **\$882.61 Million** in 2018.

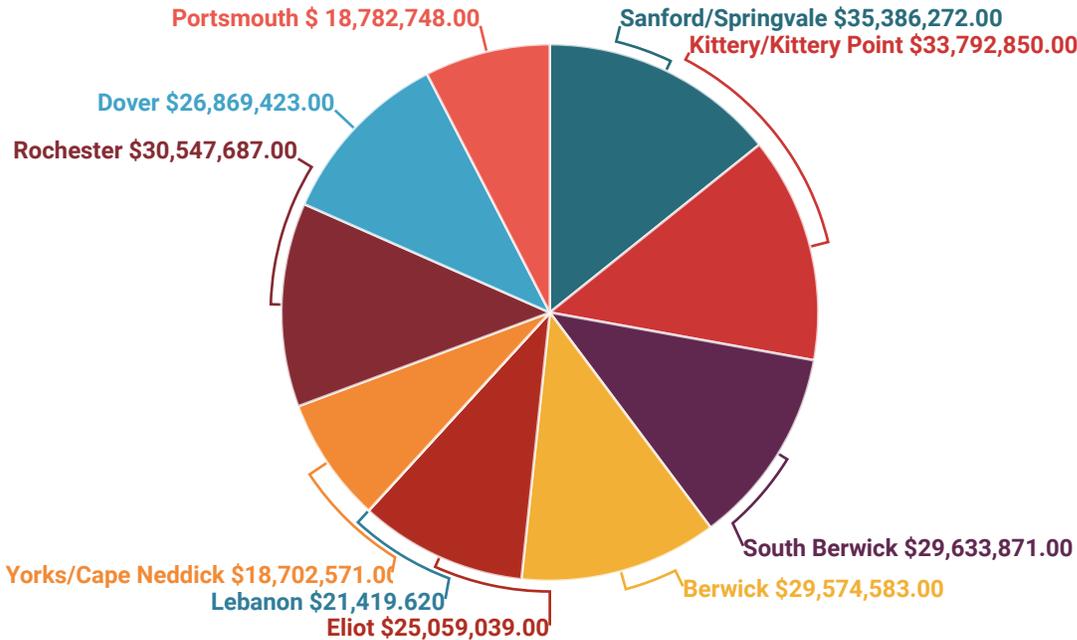
PNSY significantly impacts communities in Maine through civilian and military payrolls, contracted facility services, and purchased goods and services.

PNSY's total economic impact has grown by **41.6%** since 2013.



PNSY's civilian employment numbers have been steadily increasing year on year and its annual payroll figures reflect that increase.

Payroll - Top 10 Communities

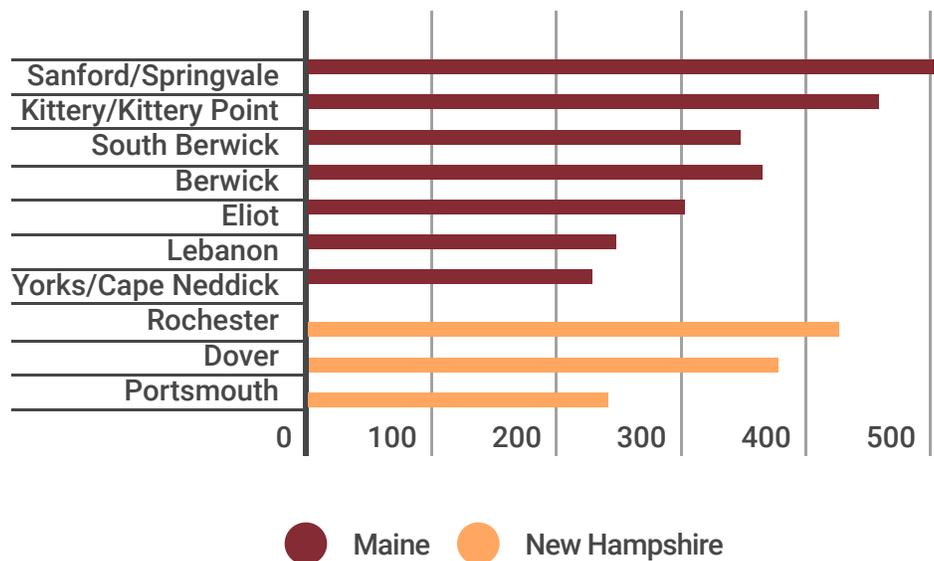


Maine workers at PNSY earned **\$314.6 Million** in 2018.

56% of PNSY's civilian employees in 2018 came from Maine Communities.

Employees - Top 10 Communities by State

7 of the 10 communities sending the most workers to PNSY in 2018 were in Maine.



Statistics compiled from "Portsmouth Naval Shipyard - Economic Impact CY 2018" prepared by Seacoast Shipyard Association.

Graphics created by Sanford Regional Economic Growth Council.

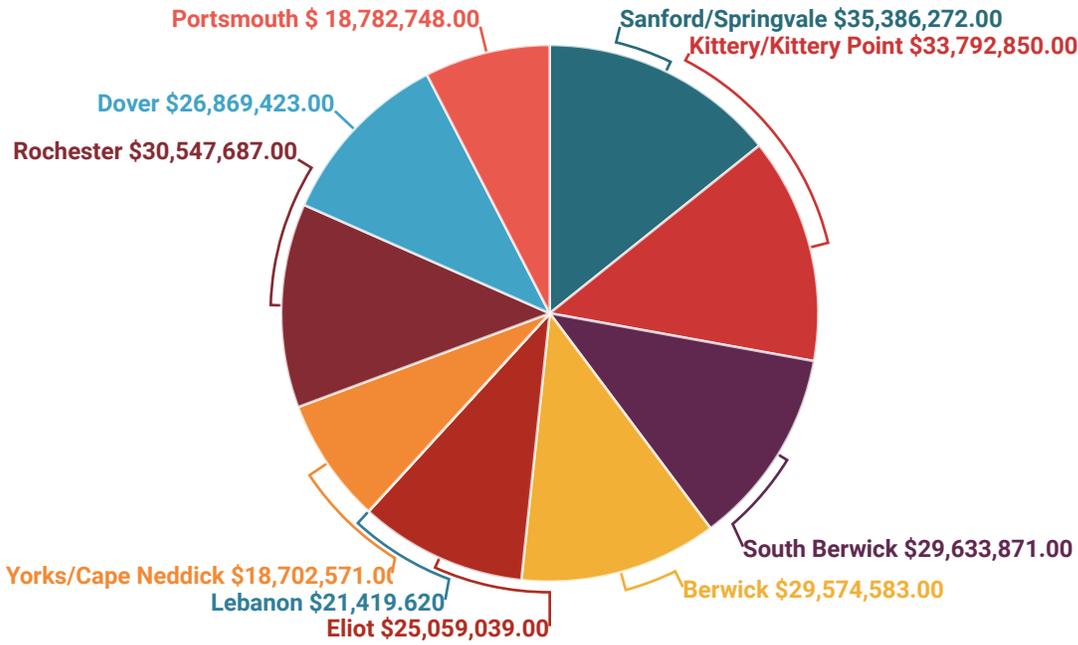
www.sanfordgrowth.com



Portsmouth Naval Shipyard Economic Impact 2018

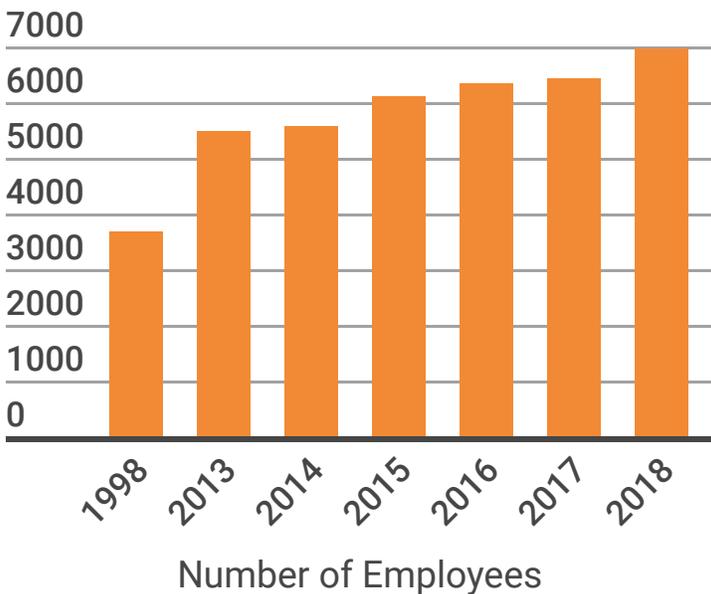


Payroll - Top 10 Communities



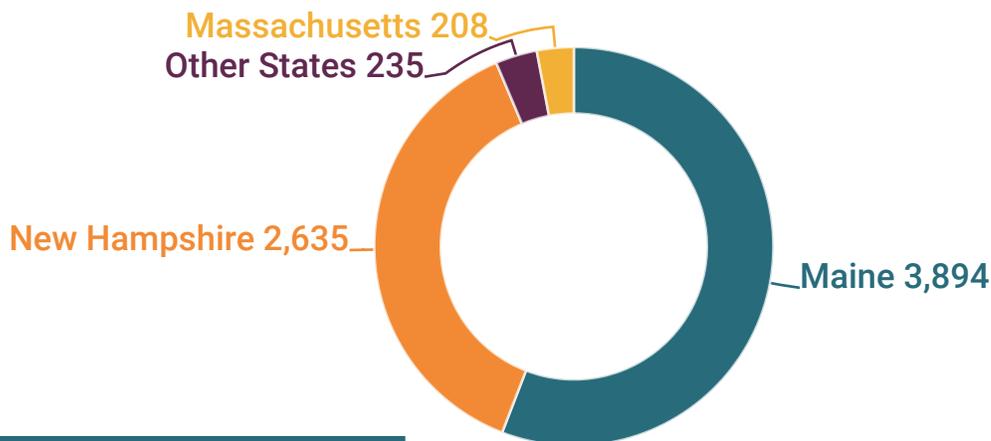
PNSY payroll is higher for **Sanford, Maine** than for any other community.

62.1% of PNSY's economic impact comes from its civilian payroll.
In 2018, this was over \$548 Million.



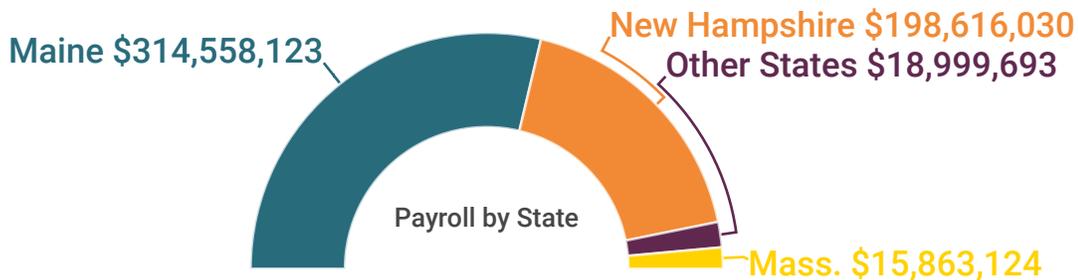
PNSY employs more workers from Maine than from any other state.

Number of Employees by State



55%
of PNSY's
employees are
from Maine
communities.

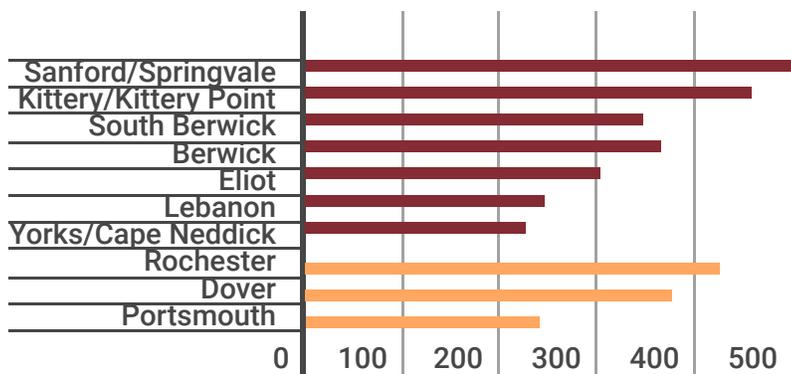
Maine workers
at PNSY earned
\$314.6 Million
in 2018.



● Maine ● New Hampshire ● Other States ● Mass.

PNSY employs more workers from **Sanford-Springvale, Maine**
than from any other community.

Employees - Top 10 Communities by State



502
Sanford residents
earned
\$35.4 Million
in 2018.

● Maine ● New Hampshire

Statistics compiled from "Portsmouth Naval Shipyard - Economic Impact CY 2018"

prepared by Seacoast Shipyard Association.

Graphics created by Sanford Regional Economic Growth Council.

www.sanfordgrowth.com





FINDINGS AND ORDER

Pursuant to 17 M.R.S.A. §§ 2851-2859
 Dangerous Buildings

FRANCIS C. WATSON
 PO BOX 930
 SANFORD ME 04073

DEUTSCHE BANK NATIONAL TRUST COMPANY
 OCWEN LOAN SERVICING, LLC
 1661 WORTHINGTON ROAD, SUITE 100
 WEST PALM BEACH FL 33409

LINDA A. MALOY, ESQ.
 407 ALFRED STREET #104
 BIDDEFORD ME 04005

FREEWAY INVESTMENTS, INC.
 TODD JOHNSON, SR.
 259 MINOT AVENUE
 AUBURN ME 04210

11 MADISON STREET, SANFORD, MAINE

On April 16, 2019 at 6:00 PM at City Hall, the Municipal Officers of the City of Sanford, Maine held a hearing to determine whether the structure at 11 Madison Street, Sanford, Maine identified as Lot 19, on Tax Map G30 and further described in a deed recorded in the York County Registry of Deeds at Book 16254, Page 625 is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and if so, what the appropriate remedy would be. Notice of this hearing was duly served on the owner by the York County Sheriff, parties in interest by certified mail and advertised in the newspaper on March 29th, April 5th, and April 12th, of 2019 as required by Law when an owner or party in interest is unknown or is not ascertainable with reasonable diligence.

The following persons were present and testified:

- A. City of Sanford Director of Community Development, Ian Houseal
- B. City of Sanford Code Enforcement Officer, Aaron Lederer
- C. Property Owner/Representative: Frank Watson

Based on the testimony of those present and other evidence presented and made part of the record, the Sanford City Council hereby attests to the testimony and evidence and hereby finds the following facts:

- A. Francis C. Watson has owned the building (the property), since 1998.
- B. The owner has allowed the building to fall into a state of neglect, disrepair, and dilapidation because of inadequate maintenance and care.
- C. Since Francis C. Watson has owned the property, there have been 14 sewer service liens assessed and 13 sewer service liens discharged on the property with \$5,017.24 in sewer service fees owing; \$705.18 in water service fees owing; and 4 property tax liens and assessed and 4 property tax liens discharged on the property.
- D. An inspection on March 8, 2019 found the following violations of City Code § 90-13B(5), the *International Property Maintenance Code, 2015 (IPMC, 2015)* as adopted by reference:
 - Interior structure. § 305.1. Bedroom wall removed.
 - Interior surfaces. § 305.3. Holes in walls throughout.
 - Plumbing system hazards. § 504.3. Furnace in disrepair. Broken pipes and fixtures.
 - Sanitation. § 302.1. Accumulation of debris, trash, furniture, and appliances on the property.

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- Exterior walls and roofs. § 304.6 and 304.7. Holes walls, missing siding, missing soffits, damaged roof.
- E. On March 11, 2019 the building was ordered vacated and secured and was posted unfit for human occupancy or use.
- F. A responsible party for the building has failed to obtain a rental housing license, pursuant to City Code § 149-5.1 et. seq. after notice to obtain a rental housing license.

Pursuant to 17 M.R.S.A § 2851, 2-A: “To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.”

Based on the foregoing findings, the Municipal Officers conclude that the building is dangerous and a nuisance because it is unsanitary due to accumulation of rubbish and garbage on the premises; constitutes a fire hazard because of inadequate maintenance, dilapidation, continued lack of care, and security of the property; constitutes a hazard to health or safety and is a public nuisance because of inadequate maintenance, and dilapidation (the building contributes to blight as result of the continued lack of care, maintenance and security of the property and impacts the property value of surrounding properties); and is dangerous to life and property.

THEREFORE IT IS ORDERED that to protect the health, safety, and welfare, the building is to be immediately secured to prevent occupancy or use within 24 hours.

AND BE IT FURTHER ORDERED that any and all rubbish, debris, vehicles, equipment, household/human/hazardous waste, and dangerous materials are to be removed from the property and properly disposed and the premises maintained free of debris and plant growth within 30 days.

AND BE IT FURTHER ORDERED that to protect the health, safety, and welfare, the said dangerous building and nuisance is to be immediately abated (building removed/ disposed/ secured.)

AND BE IT FURTHER ORDERED, if the owner or party in interest demonstrates the ability and willingness to satisfactorily rehabilitate the building by submitting and having a rehabilitation plan approved by the City Manager within 30 days of recording this Order and carrying out such rehabilitation plan in a timely manner, the Order to immediately abate the nuisance may be delayed. Such rehabilitation plan must include:

- At a minimum, all deficiencies listed as part of the findings of fact as herein set forth are corrected in the approved timeframes;
- The said building is rehabilitated and brought into compliance with all applicable State and Local Codes and all applicable State and Local permits and licenses are obtained prior to making any rehabilitation;
- There shall be no occupancy or use of the property until a Certificate of Occupancy has been issued by the City upon satisfactory rehabilitation of the buildings.

AND BE IT FURTHER ORDERED that the City Clerk record this Order in the York County Registry of Deeds and cause attested copies of this Order to be served upon the persons as required by law.

AND BE IT FURTHER ORDERED that, if this Order is not complied with, the City Manager is hereby authorized and directed to ask for bids for the abatement (buildings removal/ disposal/ securing) of the said dangerous building and nuisance.

AND BE IT FURTHER ORDERED that, if this Order is not timely complied with and no timely appeal is taken, the City Manager may undertake the ordered corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action.

This decision may be appealed to Superior Court pursuant to Maine Rule of Civil Procedure 80B.

MUNICIPAL OFFICERS OF THE CITY OF SANFORD

Dated: 4/16/19

Absent
Tom P. Cote, Mayor
[Signature]
Joseph B. Hanslip
[Signature]
Ayn Hanselmann
[Signature]
John L. Tuttle, Jr.

[Signature]
Lucas J. Lanigan, Deputy Mayor
[Signature]
Maura A. Herlihy
[Signature]
Robert G. Stackpole

STATE OF MAINE, York County, ss.

Dated: April 16, 2019

Personally appeared before me the above-named City Council, of the City of Sanford, Maine and each acknowledged the foregoing instrument to be his/her free act and deed.

[Signature]
Notary Public

Lorisa Ricketts
Notary Public, State of Maine
My Commission Expires April 16, 2022





FINDINGS AND ORDER

Pursuant to 17 M.R.S.A. §§ 2851-2859
Dangerous Buildings

CHRIS FARRIS
34 ROLLINS ROAD
EPPING, NH 03042

28 THOMPSON STREET, SANFORD, MAINE

On April 16, 2019 at 6:00 PM at City Hall, the Municipal Officers of the City of Sanford, Maine reopened the City Council hearing held on February 19, 2019, at which the City Council made Findings and issued an Order recorded in the York County Registry of Deeds at Book 17903, Page 667, which deemed the structure located at 28 Thompson Street, Sanford, Maine owned by Christopher E. Farris and identified as Lot 123, on Tax Map I28 and further described in a Deed recorded in the York County Registry of Deeds at Book 17641, Page 667, to be a dangerous building and nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859. The hearing was reopened to afford to Christopher E. Farris an opportunity to present to the City Council information relevant to its determination of whether the structure located at 28 Thompson Street, Sanford, Maine is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what if any remedy is appropriate. The Findings and Order issued by the City Council on February 19, 2019 remains in full force and effect until the City Council's issuance of findings and an order following hearing on April 16, 2019. Notice of this hearing was duly served in person on Christopher E. Farris by the Rockingham County, New Hampshire Sheriff and by certified mail, regular mail, and by email indicating actual notice of the hearing as of March 16, 2019, and advertised in the newspaper on March 29th, April 5th, and April 12th of 2019 as required by Law when an owner or party in interest is unknown or is not ascertainable with reasonable diligence.

The following persons were present and testified:

- A. City of Sanford Director of Community Development, Ian Houseal
- B. City of Sanford Code Enforcement Officer, Aaron Lederer
- C. Property Owner/Representative: None

Based on the testimony of those present and other evidence presented and made part of the record, the Sanford City Council hereby attests to the testimony and evidence and hereby finds the following facts:

- A. Christopher E. Farris has owned the building (the property), since December 27, 2017.
- B. The owner has allowed the building to fall into a state of neglect and disrepair because of inadequate maintenance, care, and abandonment.

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- C. The water service to the property has been disconnected since October 20, 2017. Water service to the 28 Thompson Street building has been off since July 19, 2011 with \$730.14 in water service fees owing.
- D. On November 1, 2017, a building permit with a fee in the amount of \$624.00 for a full renovation of the building was issued for \$78,000 worth of work. No progress inspections were requested by the applicant or conducted by a Code Enforcement Officer. Pursuant to City Code § 280-3-2(H), a building permit expires “if the work or change is not commenced within six months of the date on which the permit is granted and if the work or change is not substantially completed within 18 months of the date on which the permit is granted. The work was commenced, but then was suspended and then abandoned; and therefore, the permit is expired. There have been no electrical or plumbing permits issued for the building.
- E. On June 1, 2018, the York County Superior Court entered a Consent Judgment in matters docketed as ALFSC-CV-17-222 and ALFSC-CV-17-225 whereby Christopher E. Farris was to pay the City of Sanford the amount of \$4,000 on June 10, 2018. Mr. Farris has not complied with the Consent Judgment in this respect and others.
- F. An exterior inspection on January 31, 2019 found the following violations of City Code § 90-13B(5), the *International Property Maintenance Code, 2015 (IPMC, 2015)* as adopted by reference:
- Structure unfit for human occupancy. § 108.1.3. The structure is in severe disrepair and lacks maintenance and is evidently abandoned. Loose house wrap, electrical meter box, and electrical service entrance hang from the exterior walls.
 - Unsafe structure. § 108.1.1. The structure is damaged, decayed, dilapidated, deteriorated, neglected, and is evidently abandoned to such an extent that it could partially collapse and may not be properly anchored or attached.
 - Dangerous premises. § 108.1.5(11). The exterior property and premises is insanitary, filthy, and there is an accumulation of rubbish, garbage, debris, and discarded construction material on the premises. There is excessive plant growth along the foundation walls and in areas of the premises.
 - Dangerous structure. § 108.1.5(7). The building is neglected, damaged, dilapidated, unsecure, and evidently abandoned. The interior is not habitable and exterior doors are not fastened.
 - Structure unfit for human occupancy. § 108.1.3. There is a lack of water and electricity service to the structure.
- G. On February 7, 2019 the building was condemned and ordered vacated and secured and was posted unfit for human occupancy or use pursuant to IPMC, 2015 §§ 105.1, 105.2, 105.4, 107.1, 107.3, and 108.3.
- H. On February 7, 2019, the building was secured pursuant to 17 M.R.S.A. § 2856 and the owner notified pursuant to 17 M.R.S.A. § 2857 because the doors to the building were not secured. The doors to the building were secured and locked.
- I. In a letter dated April 9, 2019 to Eric Farris, David L. Scott, Professional Engineer, State of Maine Temporary License Number TM-15990 indicates, per an assessment, “The building’s roof and floor systems are structurally sufficient.”

Pursuant to 17 M.R.S.A § 2851, 2-A: “To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.”

Based on the foregoing findings of fact, the Municipal Officers conclude that the building is dangerous and a nuisance because it is structurally unsafe due to the damage, decay, dilapidation, deterioration, neglect, and evident abandonment of the building; it is unsanitary due to accumulation of rubbish, garbage, debris, and discarded construction material on the premises; constitutes a fire hazard because of inadequate maintenance, dilapidation, continued lack of care, and security of the property and is an attractive nuisance to children who might play in the building or become a harbor for vagrants or criminals, or enable persons to resort to the building for committing a nuisance or unlawful act; constitutes a hazard to health or safety and is a public nuisance because of inadequate maintenance, dilapidation, and abandonment (the building contributes to blight as result of the continued lack of care, maintenance and security of the property and impacts the property value of surrounding properties); and is dangerous to life and property. These April 16, 2019 Findings and Order do supersede and replace the Findings and Order issued by the City Council in this matter on February 19, 2019.

THEREFORE IT IS ORDERED that to protect the health, safety, and welfare, the building is to be immediately secured to prevent occupancy or use within 24 hours.

AND BE IT FURTHER ORDERED that any and all rubbish, debris, vehicles, equipment, household/human/hazardous waste, and dangerous materials are to be removed from the property and properly disposed and the premises maintained free of debris and plant growth within 30 days.

AND BE IT FURTHER ORDERED that to protect the health, safety, and welfare, the said dangerous building and nuisance is to be immediately abated (building removed/disposed/secured.)

AND BE IT FURTHER ORDERED, if the owner or party in interest demonstrates the ability and willingness to satisfactorily rehabilitate the building by submitting and having a rehabilitation plan approved by the City Manager within 30 days of recording this Order and carrying out such rehabilitation plan in a timely manner, the Order to immediately abate the nuisance may be delayed. Such rehabilitation plan must include:

- At a minimum, all deficiencies listed as part of the findings of fact as herein set forth are corrected in the approved timeframes;

- The said building is rehabilitated and brought into compliance with all applicable State and Local Codes and all applicable State and Local permits and licenses are obtained prior to making any rehabilitation;
- There shall be no occupancy or use of the property until a Certificate of Occupancy has been issued by the City upon satisfactory rehabilitation of the buildings.

AND BE IT FURTHER ORDERED that the City Clerk record this Order in the York County Registry of Deeds and cause attested copies of this Order to be served upon the persons as required by law.

AND BE IT FURTHER ORDERED that, if this Order is not complied with, the City Manager is hereby authorized and directed to ask for bids for the abatement (buildings removal/disposal/securing) of the said dangerous building and nuisance.

AND BE IT FURTHER ORDERED that, if this Order is not timely complied with and no timely appeal is taken, the City Manager may undertake the ordered corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action.

This decision may be appealed to Superior Court pursuant to Maine Rule of Civil Procedure 80B.

MUNICIPAL OFFICERS OF THE CITY OF SANFORD

Dated: 4/16/19

Absent
 Tom P. Cote, Mayor
Joseph R. Hanslip
 Joseph R. Hanslip
Ayn Hansehnann
 Ayn Hansehnann
John L. Tuttle, Jr.
 John L. Tuttle, Jr.

Lucas J. Lanigan, Deputy Mayor
 Lucas J. Lanigan, Deputy Mayor
Maura A. Herlihy
 Maura A. Herlihy
Robert G. Stackpole
 Robert G. Stackpole

STATE OF MAINE, York County, ss.

Dated: April 16, 2019

Personally appeared before me the above-named City Council, of the City of Sanford, Maine and each acknowledged the foregoing instrument to be his/her free act and deed.

Lorisa K. Ricketts
 Lorisa K. Ricketts
 Notary Public

SEAL



Lorisa Ricketts
 Notary Public, State of Maine
 My Commission Expires April 16, 2022